

**DETAILED ACTION**

***Election/Restrictions***

Applicant's election of Group I, claims 8, 9, 11, 13, 15, 17, 19 and 28-30 drawn to process of preparing the compound of formula IC in the reply filed on 10/17/2007 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Baerbel Brown on 1/7/2008. The application has been amended as follows:

1. Cancel claims 21-24, 59 and 62-66.

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

The process of preparing the compound of formula IC embraced in the instant claims was not found to be anticipated or rendered obvious by the prior art of record. The closest prior art US 6,335,345 teaches a process for making the spiro lactone of formula IC but does not teach or suggest instant process involving condensation of compound of formula A with compound of formula B. Additional search in the related art area also did not yield any prior art disclosing process of making embraced in the instant claims. Therefore, the examiner noted that the claims 8, 9, 11, 13, 15, 17, 19 and 28-30 would be in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

Any inquiry concerning this communication from the examiner should be addressed to Venkataraman Balasubramanian (Bala) whose telephone number is (571) 272-0662. The examiner can normally be reached on Monday through Thursday from 8.00 AM to 6.00 PM. The Supervisory Patent Examiner (SPE) of the art unit 1624 is James O. Wilson, whose telephone number is 571-272-0661. The fax phone number for the organization where this application or proceeding is assigned (571) 273-8300. Any

Art Unit: 1624

inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-1600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAG. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-2 17-9197 (toll-free).

/Venkataraman Balasubramanian/

Primary Examiner, Art Unit 1624

1/7/2008